



**United States Department of Justice
United States Attorney's Office
District of Minnesota**

News Release

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Minnetonka man allowed to take law school entrance exam following Americans with Disabilities Act settlement

MINNEAPOLIS—In the Justice Department's first settlement applying the Department's revised regulations relating to examinations and courses, the United States Attorney's Office for the District of Minnesota today announced a settlement under the Americans with Disabilities Act ("ADA") with the Law School Admission Council ("LSAC"), a national testing entity that administers the Law School Admission Test ("LSAT"). The LSAT is a national standardized examination that all applicants must take before applying to American Bar Association accredited law schools in the U.S. This settlement agreement arose out of an investigation by the U.S. Attorney's Office for the District of Minnesota into whether the LSAC violated the ADA by failing to provide testing accommodations to a person with a disability from Minnetonka, Minnesota.

Following today's announcement, U.S. Attorney B. Todd Jones said, "Under the Americans with Disabilities Act, national testing entities must ensure that the standardized tests they administer allow persons with disabilities to demonstrate their aptitude and abilities on tests rather than being placed at a disadvantage because of their disabilities. This settlement with the Law School Admission Council is another important step in ensuring that persons with disabilities who provide documentation to support modifications to standardized tests will be given fair consideration by testing entities."

Under the ADA and its enabling regulations, private testing entities like the LSAC are required to provide testing accommodations to persons with disabilities in order to best ensure that their performance demonstrates their aptitude and achievement, rather than their disabilities. In this case, the U.S. Attorney's Office commenced an investigation in response to a complaint from a test taker who alleged that the LSAC had twice denied him testing accommodations he needed to take the LSAT. After a comprehensive investigation, the U.S. Attorney's Office and the U.S. Department of Justice's Civil Rights Division concluded that the LSAC did indeed fail to meet the ADA's requirements.

The 22-year-old who filed the ADA complaint was diagnosed early in life with Attention Deficit Disorder ("ADD"), Hypotonia, and a learning disability. He received testing accommodations throughout elementary school, secondary school, and college. In addition, the College Board, another private testing organization, had granted him specific accommodations of extended time to take several national standardized tests, including the PSAT, the SAT, and several Advanced Placement examinations. He completed college in three years, graduating from the University of Minnesota in 2009. He desired to enroll in law school and requested testing accommodations from the LSAC for several consecutive administrations of the LSAT in 2008 and 2009. He submitted ample supporting documentation to the LSAC, including evidence of his past accommodations, as well as documents from his treating health care providers. Despite providing this documentation, the LSAC twice denied him, among other things, extended time on the LSAT, additional breaks in between sections, and a quiet testing room.

The U.S. Department of Justice's Civil Rights Division authorized the U.S. Attorney's Office to commence suit against the LSAC for violating the ADA when it denied the complainant's requests for testing accommodations on the LSAT. Prior to filing suit, the U.S. Attorney's Office entered into settlement negotiations with the LSAC. Late last week, the parties agreed to a settlement under which the LSAC agreed to allow the complainant to sit for the October 2011 LSAT with all of the testing accommodations he had originally requested. These accommodations include double the standard testing time on each section of the LSAT, breaks between each section, a separate and quiet testing area in which to take the test, permission to bring and use his own computer for the writing sample section of the exam, permission to bring and use scratch paper, and use of an alternative non-scantron answer sheet.

The settlement was reached under Title III of the ADA, which prohibits discrimination against individuals with disabilities by private testing entities that administer examinations related to professional licensing. More information about the Civil Rights Enforcement Unit at the U.S. Attorney's Office for the District of Minnesota can be accessed at www.justice.gov/usao/mn. More information about the U.S. Justice Department's Civil Rights Division and the laws it enforces is available at the website www.justice.gov/crt. Specific information about the settlement agreement with the LSAC in this case can be found at www.ada.gov or by calling the toll-free ADA Information Line at 800-514-0301 or 800-514-0383 (TTY).

This case was handled by Assistant U.S. Attorneys Gregory G. Brooker and Bahram Samie. The complainant was represented by private counsel, Christopher Jozwiak, who can be reached at (612) 605-4098.

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